

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
Burdick, et al.)
Serial No.: 10/814,327)
Filing Date: March 31, 2004) Art Unit
Confirmation No.: 5332) 2836
Title: TRANSMITTER SUBASSEMBLY)
GROUND RETURN PATH)
Examiner: Dharti Haridas Patel)
Customer No.: 022913)

RESPONSE TO RESTRICTION REQUIREMENT**MAIL STOP: AMENDMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits this paper in response to the Office Action mailed December 6, 2006 (the "Office Action"). In the Office Action, the Examiner set forth a Restriction Requirement that identified what the Examiner has characterized as two (2) distinct inventions. In particular, the Examiner suggested in the Office Action that the present application contains claims directed to the following Inventions:

- I. Claims 1-8, drawn to a system configured for minimizing electromagnetic radiation in an optical transceiver, classified in class 385, subclass 92; and
- II. Claims 9-23, drawn to a coupling member for shielding electromagnetic radiation in a high-speed optical transceiver, classified in class 350, subclass 350.

Applicant hereby elects Invention I (Claims 1-8, drawn to a system configured for minimizing electromagnetic radiation in an optical transceiver, classified in class 385, subclass 92) for examination, *with traverse*.

As to the aforementioned traversal, Applicant respectfully notes that unelected claims 20-23 are drawn to a “method,” rather than to a “coupling member” as the Examiner has stated in the Office Action. Accordingly, Applicant respectfully requests that the Examiner reconsider the restriction requirement set forth in the Office Action.

Applicant notes that while the election set forth herein is made without traverse, except as noted above, the mere fact that no traverse is made should not be construed as an assessment or judgment by the Applicant as to the merits, if any, of the characterization of the claims and inventions advanced by the Examiner in the restriction requirement set forth in the Office Action; or, any other assertions, allegations, statements or characterizations made by the Examiner in that restriction requirement.

An action on the merits of claims 1-8 and a Notice of Allowance thereof are respectfully requested. In the event that the Examiner wishes to discuss any of the matters contemplated hereby, the Examiner is invited to initiate a telephone conversation with the undersigned.

Dated this 28th day of December 2006.

Respectfully submitted,

/Peter F. Malen, Jr./

Peter F. Malen, Jr.
Attorney for Applicants
Registration No. 45,576
Customer No. 022913
Telephone No. 801-533-9800

PFM/gpm